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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,320

02/16/2006

William D. Blake

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10/12/2007

CLARK HILL, P.C.

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EXAMINER

PEDDER, DENNIS H

ART UNIT

PAPER NUMBER

3612

MAIL DATE

DELIVERY MODE

10/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/568,320

Applicant(s)

BLAKE, WILLIAM D.

Examiner

Dennis H. Pedder

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) 13 and 14 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-20 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 13-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on 9/27/2007.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-7, 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burkhardt et al. in view of Horney et al. and Muller et al., US 6,203,366.

Burkhardt et al. have the bumper 1 with component mounting integrally molded to the bumper 1 and comprising containing portion 3, with through hole at 2 for housing components 6 and the sensor, fastening means 4, deemed equivalent to those of applicant, and with the component 6, or the parking sensor, mounting from the back side of the bumper.

Horney et al. teach that a plastic bumper may be backed by a rigid beam 18 and therefore be a fascia. It would have been obvious to one of ordinary skill to provide in Burkhardt et al. a rigid beam as taught by Horney et al. in order to form a bumper fascia and to rigidify the plastic fascia.

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Burkhardt lack the newly claimed elongated ridges to resilient members 3 a detail of this art known before the invention of applicant as evidenced by the patent to Muller et al. in figures 3 and 4 straddling latches 13. Strengthening the retention is inherent in such ridged structure. It would have been obvious to one of ordinary skill to provide in Burkhardt et al. as modified by Horney et al. ridges on the resilient members of Burkhardt et al. as taught by Muller et al. in order to strengthen the arms

As to claims 2 and 3, thermoplastic fascias and bumpers are common knowledge in the art in order to reduce weight and applicant admits that such coating is conventional "as of late" with regard to painting. This is also deemed to be of common knowledge in the art. As applicant has not challenged this statement of judicial notice, it is made final.

As to claim 6, Burkhardt et al. show projection and recess at 4.

As to claim 8, Burkhardt et al. have ridges at 7.

As to claim 9, Burkhardt et al. have a much smaller thickness at the proximal end as seen in figure 3. The dimensions of the smaller thickness is an obvious expedient to one of ordinary skill in the art and not a patentable distinction.

As to claim 10, Burkhardt et al. has a rounded proximal end, defined by applicant as "a parting line seal off".

As to claim 11, the component mounting is a bracket for a parking sensor.

3. Claims 1-4, 6-7, 9-12 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Karr et al. in view of Burkhardt et al., Horney et al., optionally in view of Muller et al., US 6,203,366.

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Karr et al. have a bumper 1 and component mounting comprising containing resilient members 3 injection molded to the bumper, fastening means 4/5 and disclose mounting from the back side.

See col. 2, line 25 for the teaching of injection molding. Karr et al. also has ridges at the distal ends of the resilient members 3 as seen in figure 3 to the right of clip aperture 4. "Ridge" is defined as a "the long and narrow upper edge, angle, or crest of something" Random House College Dictionary, 1978.

Paragraph 2 above is incorporated by reference. It would have been obvious to one of ordinary skill to provide in Karr et al. a plastic bumper as taught by Burkhardt et al. and backed by a bumper beam in order to consider the plastic bumper a fascia as taught by Horney et al. in order to provide a strong and aesthetically pleasing bumper.

Optionally, It would have been obvious to one of ordinary skill to provide in the above references elongated ridges along the resilient members 3 of Karr et al. as taught by Muller et al. in order to strengthen the retention.

As to claim 9, Karr et al. have a much smaller thickness at the proximal end as seen in figure 4. The dimensions of the smaller thickness is an obvious expedient to one of ordinary skill in the art and not a patentable distinction.

As to claim 10, Burkhardt et al. teach such a rounded edge.

As to claim 12, Karr et al. disclose an ultrasonic sensor, conventionally used for parking assist.

***Allowable Subject Matter***

4. Claims 15-20 are allowed.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-4,6-7,9-12 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's narrowing of the limitations of former claim 8 to "along the first and second resilient members" necessitated the new grounds of rejection.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

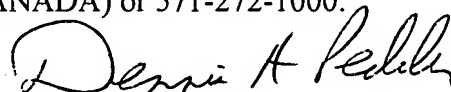
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis H. Pedder whose telephone number is (571) 272-6667. The examiner can normally be reached on 5:30-2:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn D. Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dennis H. Pedder  
Primary Examiner  
Art Unit 3612

10/10/07

DHP  
10/10/2007

**AMENDMENTS TO THE DRAWINGS**

The attached replacement sheets of drawings, including Figures 2-6, replace the previously submitted sheets of drawings including Figures 2-6. More specifically, Applicant has amended Figures 2-6. Each replacement sheet has been clearly labeled "Replacement Sheet" in the page header.

Attachment: 3 Replacement Sheets of drawings including Figures 2-6